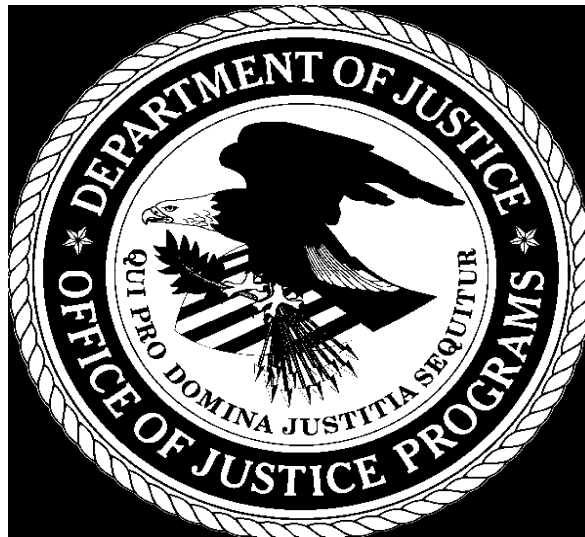


Tribal Criminal History Record Improvement Pilot Program



The Bureau of Justice Statistics (BJS) is providing this notice to announce a criminal record improvement pilot program in Indian Country; identify the pilot program priorities; and provide information on application requirements.

DATE: May 28, 2004

2004 Tribal Criminal History Record Improvement Pilot Program

The Bureau of Justice Statistics (BJS) is providing this notice to announce a criminal history record improvement pilot program in Indian Country. The Tribal Criminal History Record Improvement Program (T-CHRI) will provide support to Federally-recognized tribes and State criminal records repositories to promote participation in and improve the interface among tribal, State, and national criminal records systems.

Criminal records are a chronological history describing offenders and their contacts with the criminal justice system. Such records include offender fingerprint identification and notations of arrest and subsequent dispositions. Criminal records may also include records of protection orders, sex offender registries, and other records of contacts with the justice system. Criminal record systems are dependent upon up-to-date automated fingerprint identification systems to ensure that transactions are accurately identified to the proper individual and to ensure that such records can be linked across jurisdictions.

Pilot program goals

The goal of the T-CHRI Pilot grant program is to improve public safety in Indian Country by enhancing the quality, completeness, and accessibility of criminal history record information and by insuring the implementation of criminal justice and non-criminal justice background check systems. Achieving this goal is contingent upon accomplishing four objectives:

- (1) providing direct financial and technical assistance to the tribes to improve their criminal records systems and other related systems to support background checks and other criminal justice and non-criminal justice purposes;
- (2) ensuring the infrastructure is developed to connect each tribe's record systems to State and/or FBI records systems and, in turn, to connect each tribe's criminal records databases to one another;
- (3) providing the training and technical assistance to tribes needed to insure that records systems are developed and managed to conform to State and FBI standards and the most appropriate technologies and that tribes adhere to the highest standards of practice with respect to privacy and confidentiality; and,
- (4) assessing and measuring through systematic evaluation and standardized performance measurement and statistics, the extent of progress in implementing improvements in tribal and national records holdings and criminal records sharing.

Program priorities

The FY 2004 T-CHRI program will assist tribes to improve the accuracy, completeness, and interstate availability of criminal history records, to identify and flag records, and to develop interfaces between tribal, State and interstate record systems operated by the FBI (including the National Instant Criminal Background Check System (NICS), the Interstate Identification Index (III), the National Crime Information Center (NCIC), the Integrated Automated Fingerprint Identification System (IAFIS), the National Sex Offender Registry (NSOR), and the National Protection Order File).

The T-CHRI program is designed to improve the ability of tribes to better identify individuals for both criminal justice and non-criminal justice purposes including persons convicted of serious crimes occurring in Indian Country either by tribal or non-tribal justice authorities; ineligible to hold positions involving children, the elderly, or the disabled; subject to protection orders or wanted, arrested, or convicted of stalking and/or domestic violence; ineligible to be employed or hold licenses for specified positions; ineligible to purchase firearms; and potentially presenting threats to public safety.

FY 2004 priorities include:

- (1) Establishing the infrastructure to support participation in the Interstate Identification Index (III);
- (2) Support tribal law enforcement and court efforts relating to development of record systems for background checks and other purposes focusing on the use of fingerprint based systems of records;
- (3) Developing record systems for sex offenders, protection order files and records of domestic violence and, if feasible, building the capacity to link incident-based data to the criminal records of offenders; and,
- (4) Implementing record-keeping requirements which are compatible with the records specifications and requirements of the FBI for participation in national systems including NCIC 2000, NICS, IAFIS, III, and other relevant national systems.

Funding

The FY 2004 T-CHRI allocation is \$1.5 million and seeks to encourage tribal prioritization of those tasks which will most improve operations of tribal, State, and national criminal records systems. It is anticipated that up to 4 awards will be granted in FY 2004.

Eligibility requirements

The T-CHRI application must be submitted by the tribe or agency designated by the Tribal Council/or Governor to administer the program. Tribes may choose to submit applications as part of a multi-tribe consortium or other entity.

Qualified Applicants must –

- (1) Have tribal council/leadership approval (letter of support) to participate in the Tribal Criminal Record Improvement Pilot. The tribal letter of support can be scanned and included in Attachment 3 in GMS and, if not possible, faxed to the attention of Steven W. Perry at (202)-616-1351 by June 30, 2004;
- (2) Agree to implement records systems which meet the specifications and requirements of the FBI and to share and link tribal data with State and national data systems agencies.
- (3) Include a letter of support and cooperation from the State criminal justice repository and/or the State's National Criminal History Improvement Program agency (see <http://www.ojp.usdoj.gov/bjs/nchipadd.htm> for a listing of agencies in each State). The letter of support and cooperation can be scanned and included in Attachment 3 in GMS and, if not possible faxed to the attention of Steven W. Perry at (202)-616-1351 by June 30, 2004;
- (4) Agree to provide quantitative and qualitative data on current tribal criminal records, where available, when describing tasks to be achieved under the pilot program (see Tribal Criminal Justice Record Profile sample in Attachment 3); and,
- (5) Agree to respond in a timely manner to informational requests and formal evaluations sponsored by BJS.

Review criteria

Full funding may not be possible for all proposed activities. Allocation of funds will be based on the amount requested and the following factors:

- the extent to which funds will support/enhance participation in NICS, NSOR, the NCIC Protection Order File, and other related national records systems maintained by the FBI;
- the technical feasibility and the extent to which the proposal appears reasonable in light of the tribe's current level of system development and policy on information sharing;

- the extent to which the tribe demonstrates a commitment to criminal history record improvement;
- reasonableness of the budget and the administrative processes for managing the budget;
- appropriate focus on criminal history records improvements including improved identification of individuals;
- the extent to which the applicant recognizes the role of the courts in ensuring complete records and proposes improvements in the transmittal of court information for posting to the criminal record; and
- the extent of coordination and cooperation between the proposed activities and State and Federal records systems.

Allowable Pilot Program Costs

Twelve allowable program costs are detailed below. All expenses are allowable only to the extent that they directly relate to programs described in the application's program narrative.

Allowable costs include :

(1) **Record automation.** Conversion of manual or other non-automated records to electronic records including arrest transactions and tribal court dispositions in a format which conforms to FBI specifications and requirements.

(2) **Database enhancement.** Improving the quality, completeness, and accuracy of tribal criminal history, sex offender, and protection order records is a key goal with particular focus on automating the interface between the record repository and prosecutors, courts, and corrections. Allowable costs include the costs associated with implementing improved tribal criminal record capture procedures (including complete arrest reporting and researching missing dispositions, provided that the captured data are subsequently included in the permanent automated database), establishing more effective accuracy controls, and ensuring that records of all criminal events that start with an arrest or indictment are included in the database and that records transactions are fingerprint-supported to insure accurate linkage of arrests and subsequent case outcomes.

BJs anticipates that in many cases accomplishing this goal will entail direct transfer of funds from the designated agency to the **courts** for the following:

- Funds may be used to capture data on **domestic violence convictions** and to ensure that data on persons convicted of abuse of children, the elderly, and the disabled and/or stalking and domestic violence offenses (including protection orders and violations thereof) are included in the database.
- Funds may also be used to automate and/or upgrade accuracy and completeness of the **tribal sex offender registry**. Eligible costs include automating linkages between the registry and law enforcement agencies within the tribe and developing and implementing procedures to transfer information to the State and/or FBI. Funds may be used to develop and implement procedures, software and training and to ensure that changes in status and offender location are accurately captured and recorded.
- Tribes may also use funds to **identify and develop access to data on other categories of persons prohibited from firearm purchase** under amendments to the Gun Control Act (18 U.S.C. Section 922), as incorporated in the Brady Act. Tribes proposing use of funds for these purposes must demonstrate in the application that necessary protections for individual privacy will be incorporated in the proposed procedures.
- Funds provided to courts or prosecutors are allowable where the function to be supported can be expected to **improve the capture of dispositions or other data relating to the offender record**. This would include implementation of, or upgrades to, record systems which facilitate immediate identification of disposition records, provided the automated disposition records are accessible for Tribal, State- or Federal-level criminal history inquiries.
- Costs are allowable to improve the level of disposition completeness including older arrest records. Tribes must also propose a strategy to prevent future backlogs from developing.

(3) **Uniform RAP sheet format.** The FBI has recently endorsed a format and standards for transmission of a uniform RAP sheet (text version of a person's criminal history record). The format reflects efforts initiated under the BJS/SEARCH Task Force on Uniform RAP Sheet Standards. Funds are available to assist tribes in converting criminal history records to the FBI standard interstate RAP sheet format or for developing related requirements for electronic sharing of criminal records.

(4) **Protection order file.** Costs (including equipment, software, training, and procedural development) associated with development and enhancement of protection order files and with developing the ability to share such records with the FBI's NCIC or

NICS files. Funds are only allowable to support development of local protection order files where data in such files are or will become directly accessible throughout the tribe and the State, and made available to the FBI's national system.

(5) **Participation in the NSOR.** Funds are to be used to support the NSOR by assisting tribes to develop and enhance State registries that feed into the national system to ensure compliance with requirements set forth in State and Federal legislation. Allowable expenditures include costs of equipment, software, personnel training, and development and implementation of related operating and administrative procedures.

Sex offender registry files supported with T-CHRI funds must be compatible with FBI requirements. Funds are only allowable to support development of local sex offender registries where data in such files are or will become directly accessible throughout the State and made available to the FBI's national system.

(6) **AFIS/livescan.** Funds may also be used to support the implementation of an automated system for searching fingerprint files and transmitting fingerprint images. T-CHRI awards may be used to purchase equipment, develop procedures, and implement protocols related to activities involving the AFIS, repository, and the operation of the registry. This may include purchase of livescan equipment for relevant agencies. Where funds are to be used for this purpose, the applicant should demonstrate that funds can be justified on the basis of geographic, population, traffic, or other related factors. Livescan can only be purchased where the State has established an AFIS and either has implemented or is implementing procedures to ensure that the AFIS is compatible with FBI standards.

(7) **Participation in the NICS.** Funds may be used to enable the tribe to participate in the NICS consistent with the provisions of 18 U.S.C. Section 922 (t), as well as used to undertake activities to improve or ameliorate any problem that is delaying instant responses to NICS inquiries. Allowable expenditures include, but are not limited to, costs necessary to enable the tribe to serve as a POC under the NICS system (including costs of equipment, software, personnel training, and development and implementation of related operating and administrative procedures).

Funds may not be used to cover ongoing costs of presale firearm background checks, but may be used to pay costs associated with capturing dispositions in response to a specific NICS inquiry, provided that the captured data is entered into the automated State and FBI systems and serves to upgrade the permanent quality of the record systems.

(8) **Interface between criminal history records, sex offender registry, and civil protection order files.** To ensure that, consistent with tribal law, a complete data review is possible in connection with background checks for child care or other authorized purposes, funds may be used to develop software to establish protocols to permit interface between the criminal history record system, the tribal sex offender registry, and related protection order files including files of civil protection orders.

(9) **Compatibility with State and Federal systems.** Funds may be used to ensure compatibility with Federal record systems and to implement integrated system strategies which coordinate all components of the criminal justice system, including law enforcement, prosecutors, courts, and corrections, to the extent that such expenditures improve the availability of criminal record data.

Systems funded under the T-CHRI must be compatible with FBI standards for national data systems, including NIBRS, NCIC-2000, NICS, IAFIS, and related national systems.

(10) **Interstate Identification Index (III).** Under III, the FBI maintains an identification index of persons arrested for felonies or serious misdemeanors under State or Federal law. The index includes identification information (such as name, date of birth, race, and sex) and FBI Numbers and State Identification Numbers (SID) from each State holding information about an individual. Search inquiries from criminal justice agencies nationwide are transmitted automatically via State telecommunications networks and the FBI's NCIC telecommunications lines.

Participation requires that the State maintain an automated criminal history record system capable of interfacing with the III system and capable of responding automatically to interstate and Federal, State, and tribal record requests. Covered costs include, but are not limited to costs associated with automation of the database, synchronization of records between the Tribe, State and the FBI, and development of necessary software and hardware enabling electronic access on an intrastate or interstate basis.

(11) **Training and participation in seminars.** Limited funds may be used to cover costs of training and participation in State, regional, or national meetings (including travel, where necessary) on the uses and implementation of integrated justice systems.

(12) **Technical Assistance.** BJS staff will assist tribal authorities with their technical assistance needs and requirements. BJS currently utilizes a national technical assistance contractor who will be available to consult with tribal authorities upon approval by BJS.

Application submission due date

Applications may be submitted at any time after publication of this announcement. Applications must be received by **June 30, 2004**, to be eligible for funding in FY 2004. Awards are expected to be made before **September 30, 2004**.

Award period

Awards will be made for up to 12 months. Since the program builds on long-term activity, tribes will begin funded activities immediately upon award. All proposed activities must be scheduled to be completed by **September 30, 2005**.

Performance measurement

The T-CHRI Program will continually assess the status of tribal record-holdings and Indian Country participation in national records systems. BJS will require applicants to provide the following performance data to measure progress and achievements of the program. Applicants must submit their initial **Tribal Criminal Record History Improvement profile** with their application (See attachment).

The performance indicators that will be used to evaluate the T-CHRI pilot program applicant progress include, but not limited to the following:

1. Total number of tribal criminal history records
2. Number of tribal criminal history records automated
3. Total number of criminal history records accessible through III.
4. Automated interface between the criminal tribal history databases and other agencies.

Application Requirements

The Office of Justice Programs (OJP) now requires that funding applications be submitted through the OJP Grants Management System (GMS). Access through the Internet to this online application system will expedite and streamline the receipt, review, and processing of funding requests. Applications will only be accepted through the GMS online application system.

To learn how to begin the online application process, please refer to the Quick-Start Guide to using the Office of Justice Programs' Online Grants Management System (GMS). A toll-free telephone number (1-888-549-9901) has been established to provide applicants with technical assistance.

When applying for Federal funding, applicants must provide the following:

Applicant Information

Type of applicant
Employer Identification Number (EIN)
Organization unit
Legal jurisdiction name
Address
Contact person and phone number

Project Information

Title of project
Areas affected by project
Proposed project period of performance
Estimated funding request
Congressional District

Please check the *Initial Award* box when completing your application.

Attachment 1 - Budget detail worksheet and budget narrative. The detailed budget includes salaries of staff involved in the project and the portion of those salaries to be paid from the award, fringe benefits paid to each staff person, travel costs, supplies required for the project, sub-contractual agreements, and other allowable costs (an example of a Budget Detail Worksheet is available online at www.ojp.usdoj.gov/Forms/budget.pdf)

Attachment 2 - Project Narrative. The project narrative should describe activities as discussed in the Scope of Work and address the evaluation criteria. The project narrative should contain a detailed time line for project activities, a description of the survey methodology to be used including defined geographic boundaries, data collection method, data entry, and data documentation procedures. As part of your narrative include your Tribal Criminal Justice Record. A sample profile has been attached to guide your preparation of this information. Please include all elements noted in Sections A and B.

Attachment 3 - Other Program Requirements. The following required documents should be submitted as a file attachment: 1) a tribal council/leadership approval (i.e., letter of support) to participate in the T-CHRI Pilot; and 2) a letter of support from the State criminal justice repository and/or the State's National Criminal History Improvement Program agency. The letter of support and cooperation can be scanned and included in Attachment 3 in GMS and, if not possible faxed to the attention of Steven W. Perry at (202)-616-1351 by June 30, 2004.

Assurances. The applicant must comply with the assurances in order to receive Federal funds under this program. It is the responsibility of the recipient of Federal funds to fully understand and comply with these requirements. Failure to comply may result in withholding of funds, termination of the award, or other sanctions.

Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace. Applicants are required to review and check off the box on the certification form included in their online application process. This form commits the applicant to compliance with the certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," and 28 CFR Part 67, "A Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for a Drug-Free Workplace (Grants)."

Please note that it is critical that the name, address, telephone number, fax number, and e-mail address of the authorizing official are correct on these online forms.

Quick-Start Guide to Using the Office of Justice Programs Online Grants Management System (GMS)

Step 1. Using an established Internet account, go to www.ojp.usdoj.gov/fundopps.htm. An online Applicant Procedures handbook is available on this page, and applicants may link directly to OJP's Grants Management System (GMS), which will provide online help screens. Note: Applicants without an Internet account should call the GMS Hotline at 1-888-549-9901 for assistance.

Step 2. Click on "Logon to the Grants Management System (GMS)"

Step 3. Follow the on-screen instructions. First time users should click on "New User? Register Here." Applicants who already have a GMS password should click on "GMS Sign-in." Proceed to the FY 2004 BJS T-CHRI Program Announcement, and begin working on it. Applicants will receive e-mail confirmation from BJS that they are eligible to submit an application within 7 days.

Plan ahead. Applicants can register at any time and are encouraged to do so as soon as possible. ***Please note*** that applicants must ensure that the information for the authorizing official and alternate contact is entered correctly. The authorizing official is the individual authorized to accept grant funds in your organization. If the individual applying online is not the signing authority, that individual must list the authorizing official's name and contact information where appropriate.

Step 4. Complete the online Application for Federal Assistance (SF-424) by providing the required information in the Overview, Applicant Information, and Project Information screens.

Step 5. Complete the application by electronically "accepting" the Assurances and Certifications and submitting the three required file attachments: Budget Detail Worksheet, Program Narrative, and Other Program Attachments. (See the Application checklist on the previous page and application requirements in the Program Announcement for detailed instructions about the information to include in each of these attachments.) ***Please note that applicants must upload one file per attachment. Only the most current file uploaded to the appropriate attachment will be saved as part of the application.*** All sections of each attachment must be completed for your application to be considered for funding.

Submit your completed application online. The GMS system will notify the applicant that the application has been received and sent to BJS and provide an application identification number for future reference.

Questions or Problems: Applicants who have questions should refer to the online handbook or access applicable help screens. If the questions cannot be addressed by accessing the online GMS reference tools, call the GMS Hotline at 1-888-549-9901.

Application Checklist

FY 2004 Tribal Criminal History Record Improvement Pilot Program

All applications must be electronically submitted through the Office of Justice Programs' Grants Management System (GMS), which can be accessed at <http://www.ojp.usdoj.gov/fundopps.htm>. Please use this checklist to make sure your application is complete. Your GMS application must include:

Online Forms

- _____ **Application for Federal Assistance (Standard Form 424).** This form is generated by completing the on-screen Overview, Applicant Information, and Project Information screens in GMS.
- _____ **Assurances and Certifications.** The assurances and certifications must be reviewed and accepted electronically by the authorizing official or the designated authorizing official.

Attachments (3)

- _____ **Budget Detail Worksheet and Budget Summary (Attachment #1).** The Budget Detail Worksheet must present a detailed budget that itemizes all proposed costs and must include a budget narrative that provides justification for all proposed costs. A Budget Summary should also be included.
- _____ **Program Narrative (Attachment #2).** The project narrative should describe activities as discussed in the Scope of Work and address the evaluation criteria. The project narrative should contain a detailed time line for project activities, a description of the survey methodology to be used including defined geographic boundaries, data collection method, data entry, data documentation procedures, and the completed Tribal Criminal Record Profile.
- _____ **Other Program Attachments (Attachment #3).** All attachments must be in one file or submitted together via fax.
 - approval from tribal council/leadership (i.e., letter of support) to participate in the T-CHRI Pilot
 - letter of support from the State criminal justice repository and/or the State's National Criminal History Improvement Program agency.

Please refer to corresponding sections in the Program Announcement to determine specific content of each of these sections.

2004 Tribal Criminal Justice Record Profile (SAMPLE)

Tribal name of jurisdiction:	Date:
Name and phone number of person completing this form:	Phone:

Directions:

1. In Section A, indicate the type and number of records (citations, tickets, arrests, dispositions) that will be automated.
2. In Section B, indicate which databases are maintained by the tribe and what criminal justice agency maintains or will maintain the database.
3. Submit all required information as part of your project narrative (Attachment #2).

Section A.

Criminal justice records	Law enforcement (arrests)	Prosecutors (charges filed)	Courts (dispositions)	Total number of records
Number of criminal records				
Number of automated records				

Section B. (If yes, provide the total number of records for all criminal justice agencies)

Criminal justice databases	Law enforcement (arrests)		Prosecutors (charges filed)		Courts (dispositions)		Total number of records
	Yes	No	Yes	No	Yes	No	
Automated protection order file							
Automated sex offender registry							
Automated Firearm Background Checks (NICS)							
Automated Prohibited Firearm Purchase File							
Case and Disposition Records Backlog							
Uniform RAP Sheet							
AFIS/Livescan fingerprint							
Access to NCIC							
Automated DWI/DUI Record File							